

R710. Public Safety, Fire Marshal.

R710-15. Seizure and Disposal of Fireworks, Class A Explosives, and Class B Explosives.

R710-15-1. Purpose.

The purpose of this rule is to establish a statewide policy for the safe seizure, storage, and repurposing, destruction, or disposal of a firework, class A explosive, or class B explosive that is illegal or used or handled in an illegal manner.

R710-15-2. Authority.

This rule is authorized by Subsection 53-7-204(1)(b)(v).

R710-15-3. Definitions.

(1) Terms used in this rule are defined in Sections 53-7-202 and 19-6-102.

(2) In addition:

(a) "ATF" means the Bureau of Alcohol, Tobacco, Firearms and Explosives; and

(b) "FBI" means the Federal Bureau of Investigations.

R710-15-4. Seizure and Storage.

(1) Seized fireworks, class A explosives, and class B explosives:

(a) shall be secured against tampering or theft; and

(b) shall be stored according to Federal law.

R710-15-5. Repurposing, Destruction, or Disposal.

(1) A state, county, special district, or local government agency is prohibited from disposing of any seized firework, class A explosive, or class B explosive by burning except under circumstances described in this rule.

(2) A state, county, special district, or local government agency may dispose of seized fireworks, class A explosives, or class B explosives by:

(a) returning them to a state licensed wholesaler or manufacturer for repurposing, testing, or display;

(b) detonating them on scene as directed by the incident commander or the regional bomb team commander following FBI or ATF standards;

(c) detonating them in another safe location as directed by the incident commander or the regional bomb team commander following FBI or ATF standards;

(d) using them for training or testing purposes;

(e) burning them in an enclosed incinerator designed for that purpose;

(f) open burning in compliance with Subsection R307-202-7;
or

(g) other methods as approved by the FBI or the ATF.

(3) A state, county, special district, or local government agency may not use seized fireworks, class A explosives, or class B explosives for display, entertainment, or celebration purposes.

KEY: seizure of fireworks, storage of fireworks, disposal of fireworks, repurposing of fireworks

Date of Enactment or Last Substantive Amendment: January 14, 2019

**Authorizing, and Implemented or Interpreted Law: 53-7-204(1)(b)
(v)**